

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of the Application of C.B. on behalf of Z.G.
her minor child,

NOTICE OF MOTION

Plaintiff, 07 CV 3419 (AKH) (THK)

-against-

DEPARTMENT OF EDUCATION OF THE CITY OF
NEW YORK,

Defendant.

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PLEASE TAKE NOTICE that upon the annexed Statement of Undisputed Facts pursuant to Rule 56.1 of the Local Rules of this Court, dated October 5, 2007, the exhibits submitted to the Court on August 17, 2007, and the accompanying memorandum of law in support of defendant's motion for summary judgment dated October 5, 2007, and upon all prior pleadings and proceedings, defendant will move this Court, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, on a date to be determined by the Court, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure awarding it summary judgment, and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the briefing schedule entered in this matter on August 6, 2007, opposition papers, if any, shall be served no later than October 26, 2007. Reply papers, if any, shall be served no later than November 14, 2007.

Dated: October 5, 2007
 New York, New York

MICHAEL A. CARDOZO
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By: _____
 /s
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